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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Jorge Ancheyta Juarez et al. :
Serial No.: 10/563,577 :
Filed: January 6, 2006 :
For: PROCESS FOR THE CATALYTIC :
HYDROTREATMENT OF HEAVY :
HYDROCARBONS OF PETROLEUM :
:

SUBMISSION OF
DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination and in order to advance prosecution, Applicants submit herewith a Declaration Under 37 C.F.R. § 1.132 (hereinafter "the declaration") of the co-inventors of the above-captioned application concerning an article entitled "Hydroprocessing of Maya Heavy Crude Oil in Two Reaction Stages" in *Applied Catalysis A: General*, pp. 159-170; Elsevier (hereinafter "the Ancheyta et al article").

The Ancheyta et al article was previously submitted by Applicants in a Supplemental Information Disclosure Statement. As indicated in paragraph 2 of the declaration, the Ancheyta et al article was published on July 9, 2002 rather than July 10, 2002, which was erroneously indicated on the Form PTO 1449A submitted with the Supplemental Information Disclosure Statement.

The listed authors of the Ancheyta et al article are named co-inventors of the above-captioned application, except for authors L.C. Castaneda, Ma. T. Gomez and P. Rayo, who are listed as co-authors of the article. As indicated in the declaration, Messrs. Castaneda, Gomez and Rayo are not co-inventors of the subject matter disclosed in the Ancheyta et al article, but worked under the supervision and direction of Jorge Ancheyta at the time the experimental work described in the Ancheyta et al article was performed. As further stated in the declaration, Messrs. Castaneda, Gomez and Rayo were named as co-authors in recognition of their work in carrying out analyses of oil and catalyst samples using standard procedures, and performing mass balances in the experiments there were conducted on a pilot plant scale. The declaration further indicates that at the time of the experiments, Messrs. Castaneda, Gomez and Rayo were inexperienced employees working under the more experienced Mr. Ancheyta.

Accordingly, it is believed that the Ancheyta et al article is not available as prior art under 35 U.S.C. § 102(a), since it constitutes Applicants' own work and not that of others not more than one year prior to the filing date to which Applicants are entitled.

Prompt examination on the merits is requested.

Respectfully submitted,



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